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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA :

-against- :

VAUGHN STOKES, :
a/k/a "Qua," :

Defendant. :

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JOHN F. KEENAN, United States District Judge:

No. 11 Cr. 956 (JFK)
Memorandum Opinion and Order

In a two-count indictment dated November 8, 2011, Defendant Vaughn Stokes ("Stokes") is charged: (1) as a felon in possession of a MAC M-11-type 9mm caliber machinegun and ammunition magazine, a Taurus .357 caliber revolver, a Beretta .40 caliber pistol and ammunition magazine, a Smith & Wesson .38 Special caliber revolver, a Smith & Wesson .40 caliber pistol and ammunition magazine, a Smith & Wesson .44 caliber revolver, a Colt .45 caliber pistol and ammunition magazine, and two Glock .40 caliber pistols and ammunition magazines in violation of 18 U.S.C. § 922(g)(1); and (2) with possession of a machinegun in violation of 18 U.S.C. § 922(o)(1). In an opinion and order dated March 7, 2012, the Court denied Stokes' motion to suppress nine firearms recovered from his room at the Pelham Garden Motel in Bronx, New York. See United States v. Stokes, No. 11 Cr. 956, 2012 WL 752078 (S.D.N.Y. Mar. 7, 2012). On April 16, 2012, Stokes executed a written waiver of his right to a jury trial and a stipulation of fact entered into with the Government.


Pursuant to that stipulation, Stokes admits that on July 12, 2010 in a motel room at the Pelham Garden Motel in Bronx, New York, he knowingly possessed each of the nine firearms and ammunition magazines charged in the indictment, none of which were manufactured in the State of New York. Furthermore, Stokes agrees that MAC M-11-type 9mm firearm is a machinegun as defined in 26 U.S.C. § 5845(b) in that it shoots, is designed to shoot, and can be readily restored to shoot automatically more than one shot by a single trigger function and without manual reloading. Stokes admits that he knew the MAC M-11 type 9mm firearm was a machinegun.

Finally, Stokes acknowledges that on or about April 8, 2003 he was convicted in Dutchess County Court in Poughkeepsie, New York of criminal possession of a controlled substance in the fifth degree, New York Penal Law, Section 220.06(1), a crime punishable by a term of imprisonment exceeding one year.

Based upon these stipulated facts, the Court hereby finds Defendant Vaughn Stokes guilty of both counts charged in the indictment.

SO ORDERED.

Dated: New York, New York
April 26, 2012



John F. Keenan
United States District Judge